

**FILED**

SEP 06 2017

Clerk, U.S. District Court  
District Of Montana  
Helena

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF MONTANA**

**BUTTE DIVISION**

THE KORNER KLUB, INC., a  
Montana corporation,

Plaintiff,

vs.

GALLATIN COUNTY and MATT  
KELLEY, as Health Officer for the  
Gallatin City-County Health  
Department

Defendants.

No. CV-17-36-BU-SEH

**ORDER**

Review and assessment of the Complaint, filed May 19, 2017, in the Montana Eighteenth Judicial District Court, Gallatin County,<sup>1</sup> and Defendant's Notice of Removal, filed June 21, 2017, in this Court,<sup>2</sup> discloses that federal

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<sup>1</sup> Doc. 3.

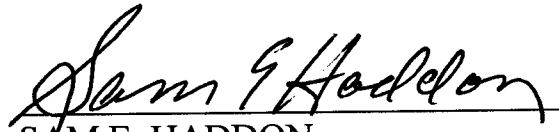
<sup>2</sup> Doc. 1.

question jurisdiction of this Court, grounded in 28 U.S.C. § 1331, as asserted, is not well-pleaded.

ORDERED,

This case will be remanded to the Montana Eighteenth Judicial District Court, Gallatin County, unless Defendant files, on or before September 15, 2017, a revised notice of removal, appropriately setting forth the legal and factual basis for invocation of federal question jurisdiction of this Court.

DATED this 6<sup>th</sup> day of September, 2017.

  
SAM E. HADDON  
United States District Judge